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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Derek J. Harper, Jeffrey A. Vasek, Paul S. Vaskelis Confirmation No. 6125
Serial No.: 09/266,674
Filed: March 11, 1999 Customer No.: 28863
Examiner: Kevin C. Simons
Group Art Unit: 3763 Docket No.: 1023-372US01
Title: HYDROPHOBIC VENT INCORPORATED INTO CEREBRAL SPINAL FLUID DRAINAGE CHAMBER

OFFICIAL

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on July 27, 2004.

By: Shirley A. Betlach
Name: Shirley A. Betlach

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a telephone interview on July 26, 2004, the Examiner contacted Applicants' representative, Steven J. Shumaker, to discuss an Examiner's Amendment to place the application in condition for allowance. The Examiner noted that claims 1-36 are now in condition for allowance, but indicated that new claims 37-40 would be subject to rejection for obviousness. In particular, the Examiner stated that the Kashmer reference appears to disclose a hydrophobic vent having a filter made of a hydrophobic porous material, as set forth in claim 37. Applicants' representative took no position on the propriety of the Examiner's interpretation of Kashmer, and advised the Examiner that it would be necessary to consult Applicants to discuss the proposed amendment to cancel claims 37-40. The Examiner advised that a final rejection would be issued. No agreement was reached as to allowance of the application.

Date:

7-27-04

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